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The Sherwin-Williams Company  
Environmental, Health & Regulatory Services  
101 Prospect Avenue, N.W.  
Cleveland, Ohio 44115-107N  
Facsimile: (216) 566-2730

21 July 2004

Ms. Bonnie L. Green, On-Scene Coordinator  
United States Environmental Protection Agency  
Region II - Removal Action Branch  
2890 Woodbridge Avenue, Bldg. 209, MS-211  
Edison, NJ 08837-3679

**Re: New Jersey Statewide Wetlands GP 4 Permit Equivalency  
Wildlife Refuge Area Temporary Security Shed  
Gibbsboro, New Jersey**

Dear Ms. Green:

The purpose of this letter is to follow-up on permit issues relating to the installation of a temporary electronics shed at the Wildlife Refuge Area in Gibbsboro, New Jersey. As you are aware, the temporary shed needs to be installed to support the security system previously installed in 2003 by The Sherwin-Williams Company (Sherwin-Williams) to prohibit trespassers from breaching the existing fence. The system installation was performed as per the approved Work Plan entitled "Security System Installation, Wildlife Refuge Fence Area, Gibbsboro, New Jersey" dated 13 June 2003. This system has remained inactive pending resolution of New Jersey Department of Environmental Protection (NJDEP) wetland permit issues.

The temporary security shed (approximately 6' x 6') will house the alarm sensors and other electronic equipment associated with the security fence. It will be placed within the Gibbsboro Wildlife Refuge (see attached figure) which is owned by the Borough of Gibbsboro. The temporary shed will be placed on blocks above ground (see attached photographs) and its installation will not require any intrusive work or damage to any existing plants/trees.

As recently instructed by U.S. EPA Removal Action Branch, Sherwin-Williams will be required to comply with applicable or relevant and appropriate requirements (ARARs) as per CERCLA Section 121(e); however, obtaining formal permits would not be necessary. CERCLA Section 121(e)(1) specifically exempts on-site actions from obtaining federal, state, and local permits, given that the on-site action meets the substantive requirements of the permitting programs which are determined to be ARARs.

As indicated in July 2003, the installation of the shed triggers an NJDEP Statewide Wetlands General Permit (GP) 4 because the shed will be installed within a wetland transition area. While a GP 4 application will not be submitted to the NJDEP for the placement of the temporary shed, the activity will be conducted in accordance with all requirements that would normally be required by a permit.



Ms. Bonnie L. Green  
United States Environmental Protection Agency

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The GP 4 requires the following actions to be taken when working within a wetland transition area:

1. Wetland and transition area delineation;
2. Threatened and endangered species survey;
3. Preparation of site plans;
4. Preparation of an soil erosion and sediment control plan;
5. Preparation of a storm water management plan;
6. Development of a wetland mitigation/restoration/planting plan; and,
7. Notification of surrounding landowners and appropriate government officials.

The first two items will be performed in the near future as part of the comin RI activities being conducted under the U.S. EPA Remedial Branch. Items 3 through 6 are not applicable since the installation of the temporary security shed does not require any intrusive work. Regarding Item 7, the Borough of Gibbsboro is the landowner and will be informed. Informing nearby landowners does not seem appropriate given the limited nature of this activity and Sherwin-Williams does not plan to undertake this notification unless deemed necessary by U.S. EPA.

Our previous contact at the NJDEP is provided below. If deemed necessary, please feel free to forward this information to the agency.

Mr. Karl Braun  
Bureau of Inland Regulation  
Land Use Regulation Program  
New Jersey Department of Environmental Protection  
501 East State Street  
P.O. Box 439  
Trenton, NJ 08625-0402

If you have any questions, please feel free to contact me at (216) 566-1794.

Sincerely

Mary Lou Capichioni  
Director, Remediation  
Services

cc: Mayor Campbell, Gibbsboro  
John Doyon, NJDEP

Attachments

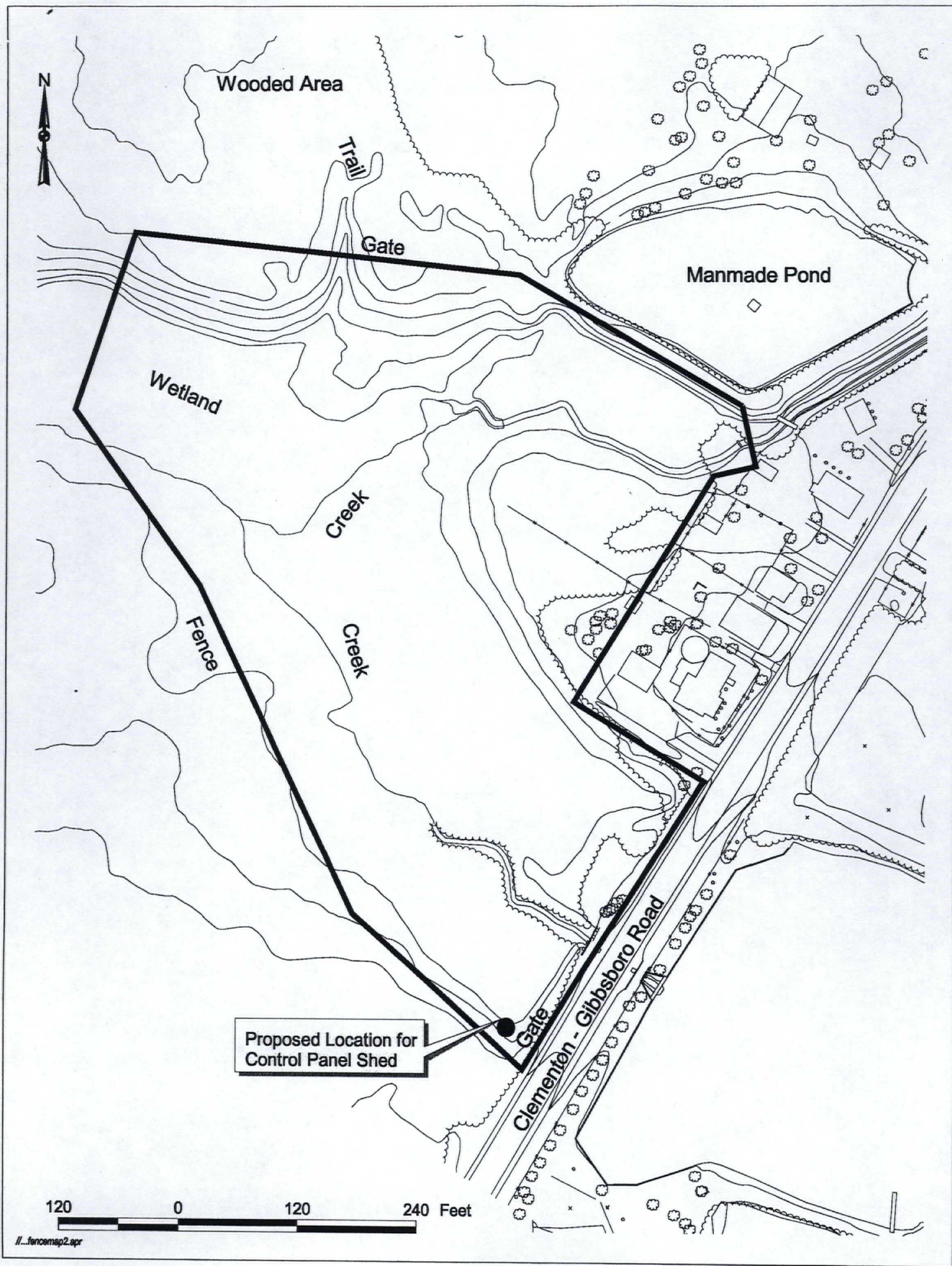


Photo 1) Looking west towards the proposed temporary security shed location.



Photo 2) Proposed temporary security shed location.





Wooded Area

Trail

Gate

Manmade Pond

Wetland

Creek

Creek

Fence

Clementen - Gibbsboro Road

Gate

Proposed Location for  
Control Panel Shed

120 0 120 240 Feet

//...fencemap2.apr